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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

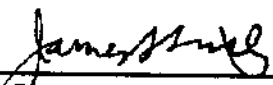
GEOFFREY P. CUMMINGS : DOCKET NO. 2:08-cv-1159  
VS. : JUDGE TRIMBLE  
SCOTT P. FISHER : MAGISTRATE JUDGE KAY

**JUDGMENT**

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein and after an independent review of the record, and a *de novo* determination of the issues, and consideration of the objections filed herein, and having determined that the findings are correct under applicable law;

**IT IS ORDERED** that plaintiff's Petition be **DENIED AND DISMISSED WITH PREJUDICE.**

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 19<sup>th</sup> day of May, 2009.

  
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**JAMES T. TRIMBLE, JR.**  
**UNITED STATES DISTRICT JUDGE**